

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,
Plaintiff

vs

Case No. 97-00074(DRD)

LUZ MARIA PADILLA,
Defendant

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SAN JUAN, P.R.

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MOTION TO REDUCE SENTENCE PURSUANT TO 18 U.S.C. Ss 3582 (c)(2)

Defendant comes before this court seeking the reduction in her prison sentence pursuant to 18 U.S.C. Ss3582(c)(2). Defendant asks that this court give retroactive effect to Amendment 706 under U.S.S. G Ss1B1.10 and reduce her sentence from 204 to 162. The Sentencing Commission has expressly designated Amendment 706 as one that may be applied retroactively.

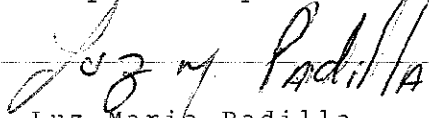
In this particular case, the District Court should simply determine the Guideline range that would have applied had Amendment 706 been in effect ab initio.

Accordingly, the relevant Guideline range would be 162 months opposed to the pre-Amendment's 204 month range.

Having established the applicable Amendment Guideline Range, the Court, in the exercise of its informed discretion, while following the factors set forth in Ss3553, which requires the sentence imposed to be minimally sufficient to satisfy concerns of retribution, general deterrence and rehabilitation, should modify the original sentence previously imposed. Wyatt, 115 F.3d at 609; 18U.S.C. Ss3582 (c)(2).

In conclusion, Defendant respectfully requests that this Court grants her Motion For Reduction of Sentence Pursuant to 18U.S.C. Ss3582(c)(2) as prescribed by Amendment 706.

Respectfully Submitted,



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12-27-07